

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ENCOMPASS INSURANCE COMPANY OF
MASSACHUSETTS,

Plaintiff,

v.

Case No. 05-11693 RCL

JOSEPH D. GIAMPA, FREDERICK T. GIAMPA,
ADVANCED SPINE CENTERS, INC. d/b/a
FIRST SPINE REHAB, FUTURE
MANAGEMENT CORPORATION,
FUTURE MANAGEMENT BUSINESS TRUST,
EDWARD KENNEDY, BRIAN J. CULLINEY,
D.C., and JENNIFER McCONNELL, D.C.

Defendants.

CERTIFICATION OF CONFERERAL PURSUANT TO L.R. 7.1(a)(2)

I, Matthew J. Conroy, counsel for the Defendants Joseph D. Giampa, Frederick T. Giampa, Advanced Spine Centers, Inc., Future Management Corporation and Future Management Business Trust hereby certify pursuant to L.R. 7.1(a)(2) that I have conferred and attempted in good faith to resolve and narrow the issues which are the subject of Defendant's Joint Motion to Dismiss Plaintiff's First Amended Complaint without success.

/s/ Matthew J. Conroy
Matthew J. Conroy (BBO# 566928)
Katherine L. Kurtz (BBO # 658026)
BELES & CONROY, P.C.
114 Waltham Street
Lexington, Massachusetts 02421
(781) 862-8060

CERTIFICATE OF SERVICE

I, Matthew J. Conroy do hereby certify that a true and accurate copy of the foregoing pleading was mailed United States Mail, 1st Class, postage prepaid to all counsel of record this 18th day of October 2005.

/s/ Matthew J. Conroy
Matthew J. Conroy